



Department of Planning, Housing, & Community Development

Mayor, Matthew T. Ryan

Director, Tarik Abdelazim

STAFF REPORT

TO: Zoning Board of Appeals Members
FROM: Planning Staff
DATE: July 2, 2013
SUBJECT: 18 Crandall Street; Area Variance
TAX ID #: 160.30-2-30
CASE: 2013-15
COPIES: B. Seachrist, T. Costello, L. Webb (District 3), G. French File

A. REVIEW REQUESTED

Gary A. French recently submitted an application for Series A Site Plan Review & Special Use Permit to allow a use of Rooming House the property known as 5 Crandall Street. The property is zoned R-3, Residential Multi-Unit Dwelling District. The applicant is proposing to operate a 10 unit rooming house. A Rooming House is permitted in the R-3 District with a Series A Site Plan & Special Use Permit from the Planning Commission. The applicant stated intent to appear before the Planning Commission following a decision of the requested area variance from the Zoning Board of Appeals.

The parking requirements for a Rooming House are 1.00 space plus 0.50 space for each room used for sleeping. The subject property will have 10 rooms used for sleeping. Therefore, the applicant will need to provide six parking spaces. The subject parcel has an existing curb cut to the south of the existing structure, and an area of distressed concrete of adequate dimensions parking for 1 off-street parking space just inside the western property line. The remaining land area consists of grass and dirt land cover. The required amount of parking has not been provided; therefore, an area variance for off-street parking is required from the Zoning Board of Appeals.

	Proposed	Required
Minimum Off-Street Parking	1	6 parking spaces

In granting an area variance, the Zoning Board of Appeals must weigh the benefit to the applicant if the variance is granted against the detriment to the health, safety, and welfare of the neighborhood or community by such a grant. The following must also be considered:

- (a). **Undesirable change:** Whether an undesirable change will be produced in the character of the neighborhood, or whether a detriment to nearby properties will be created;
- (b). **Reasonable alternative:** Whether the Applicant can achieve his goals via a reasonable alternative that does not involve the necessity of an area variance;

- (c). **Substantial request:** Whether the variance requested is substantial;
- (d). **Physical and Environmental Conditions:** Whether the requested variance will have an adverse impact on the physical or environmental conditions in the neighborhood or district;
- (e). **Self-created hardship:** Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance.

The Zoning Board of Appeals, in granting an area variance, shall grant the minimum variance that it shall deem necessary and adequate, and at the same time preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

B. ADDITIONAL REVIEWS

The project requires Series A Site Plan & Special Use Permit approval from the Planning Commission.

C. SITE REVIEW

The property known as 18 Crandall Street is located between Main Street and Frank Street. The lot has a frontage of 45 feet and a depth of 150 feet. Broome County Unified Parcel Information System lists the use of the subject property as a two-family residence, with three bedrooms.

Land use in the vicinity of 18 Crandall Street consists primarily of residential multi-unit dwellings and commercial uses along Main Street.

D. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

2 Crandall Street: In 1998, an area variance was granted to CHIP to install an on-site informational sign.

5 Crandall Street: In August 2008, the Zoning Board of Appeals denied Allam Afify an area variance for off-street parking for operating a rooming house in the R-3, Residential Multi-Unit Dwelling District.

5 Crandall Street: In September 2008, the Planning Commission denied Allam Afify a Series A Site Plan Review and Special Use Permit for a rooming house in the R-3, Residential Multi-Unit Dwelling District.

118-120 Main Street: The U.S. Federal Employees Credit Union was granted an area variance of maximum lot coverage requirements in 1989 to construct a drive-up teller lane and parking area.

133 Main Street: An area variance of off-street parking requirements was granted to Dr. Desai in 1991 to allow an expansion of a medical office.

E. ENVIRONMENTAL IMPACT

The applicant's proposal is a SEQR **UNLISTED** Action. The Planning Commission may be the lead agency to determine any environmental significance.

1. Motion to determine what type of action:
 - a. Type I
 - b. Type II
 - c. **Unlisted**
2. Determine Lead Agency and other involved agencies.
3. Motion to schedule a public hearing.
4. After the Public Hearing, Determination of Significance based on:

Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems?	Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character?	Vegetation of fauna, fish, shellfish, or wildlife species, significant habitats, or threatened or endangered species?	A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources?	Growth, subsequent development, or related activities likely to be induced by the proposed action?	Long term, short term, cumulative, or other effects not identified in C1-C5?	Other impacts (including changes in use of either quantity or type of energy)?
X	X	X	X	X	X	X

F. STAFF FINDINGS

Planning Staff has the following findings:

1. The Zoning Board of Appeals must determine if the requested variance will produce an undesirable change in the character of the neighborhood.

The character of the neighborhood is residential, with a mix of 1-, 2- and 3-family units as well as multi-unit dwellings. Much of the neighborhood's housing stock has been converted to a higher density of units per structure than originally constructed to accommodate. The submitted proposal to accommodate 10 individual units within a former 2-family residence, could potentially produce undesirable changes in the character of the neighborhood, however granting of the requested variance

may not produce these negative impacts.

2. The Zoning Board of Appeals must determine if there are any reasonable alternatives to the proposed variances.

Sufficient land area exists at the rear of the subject property to create an off-street parking area that allows code compliance for the required amount of off-street parking.

Alternately, compliance with the off-street parking requirement for continued use of the structure as a 2-family unit is more feasible than the proposed conversion.

3. The Zoning Board of Appeals must determine if the proposed area variances are substantial.

The requested variance for 5 parking spaces may not be considered substantial.

4. The Zoning Board of Appeals must determine whether or not the requested variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

5. The alleged difficulty was self created.

G. ENCLOSURES

Enclosed is a copy of the site plan, floor plans, application and site photographs.

Sincerely,

Patrick C. Day
Planner

Enclosures